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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,375	04/15/2004	Ariel S. Pfeffer-Slobodinsky	112701-574	6619

29157 7590 08/21/2006

BELL, BOYD & LLOYD LLC  
P. O. BOX 1135  
CHICAGO, IL 60690-1135

EXAMINER

VU, JAKE MINH

ART UNIT

PAPER NUMBER

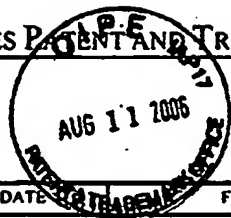
1618

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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DATE MAILED: 07/28/2006

*Due: 8-28-06*

*Remailed: 08/21/06*

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
BELL, BOYD & LLOYD  
INTELLECTUAL PROPERTY DOCKET

JUL 31 2006

ATTY *bmb:myb*  
DOCKET # *112701-*

*574*



# Office Action Summary

Application No.

10/824,375

Applicant(s)

PFEFFER-SLOBODINSKY, ARIEL S.

Examiner

Jake M. Vu

Art Unit

1618

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-31 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-21, drawn to an emulsion composition, classified in class 514, subclass 937.
- II. Claims 22-31, drawn to a method for preserving the cutting edge of a utensil, classified in class 30, subclass 538.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case the product could be used as shampoo detergent.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

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requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

#### ***Telephonic Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jake M. Vu whose telephone number is (571) 272-8148. The examiner can normally be reached on Mon-Fri 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Search results as of: 07-31-2006::11:44:56 E.T.

**Bibliographic Data**

Application Number: 10/824,376

Customer Number: -

Filing or 371 (c)  
Date: 04-15-2004Status: Abandoned -- Failure to  
Respond to an Office Action

Application Type: Utility

Status Date: 11-02-2005

Examiner Name: PADEN, CAROLYN A

Location: ELECTRONIC

Group Art Unit: 1761

Location Date: -

Confirmation  
Number: 6618Earliest Publication  
No: US 2004-0191403 A1Attorney Docket  
Number: 112701-574Earliest Publication  
Date: 09-30-2004

Class / Subclass: 426/631

Patent Number: -

First Named  
Inventor: Carl Hansen , Epallinges, (CH)

Issue Date of Patent: -


Title of Invention: Chocolate flavor manipulation

Close Window

Art Unit: 1618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jake M. Vu, PharmD, JD  
Art Unit 1618



MICHAEL G. HARTLEY  
SUPERVISORY PATENT EXAMINER

Client: \_\_\_\_\_  
Title / Mark: \_\_\_\_\_  
Serial No.: 10/824376

TO: FILE



BELL, BOYD & LLOYD  
INTELLECTUAL PROPERTY DEPARTMENT  
**PTO COMMUNICATION FORM**

Date of Communication: August 3, 2006  
Communication With: Peter Vo  
Communication Type: BBL CALL PTO CALL  
Re: Incorrect Office Action

**INTERVIEW RECORD**

- suggested sending the office action back to the patent office so they can forward the information to the correct firm

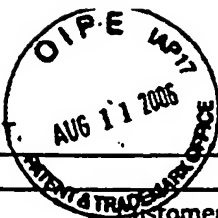
**ACTIONS REQUIRED**

**FOLLOW-UP**

ATTORNEY: \_\_\_\_\_



Search results as of: 07-31-2006::11:45:12 E.T.

**Bibliographic Data**

Application Number:	10/827,375	Customer Number:	-
Filing or 371 (c) Date:	04-20-2004	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	07-24-2006
Examiner Name:	KIM, PAUL D	Location:	ELECTRONIC
Group Art Unit:	3729	Location Date:	-
Confirmation Number:	3807	Earliest Publication No:	US 2004-0196130 A1
Attorney Docket Number:	TAIW 125 D1	Earliest Publication Date:	10-07-2004
Class / Subclass:	029/606	Patent Number:	-
First-Named Inventor:	Morris-Liang, Hsinchu Hsien, (TW)	Issue Date of Patent:	-

Title of Invention: High density multi-layer microcoil and method for fabricating the same

[Close Window](#)